United Nations

Centre against Apartheid

Notes and Documents

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21 MARCH 1993: OBSERVANCE OF THE INTERNATIONAL DAY FOR THE ELIMINATION OF RACIAL DISCRIMINATION

United Nations urges all South African parties and organizations to reach a speedy settlement leading to a new, non-racial and democratic South Africa

[Note: The Special Committee against Apartheid held a solemn meeting on 22 March 1993, in observance of the International Day for the Elimination of Racial Discrimination.

As part of the observance, a forum entitled "Towards a New, Non-Racial and Democratic South Africa", was held at Columbia University with the participation of the representatives of the Special Committee against Apartheid as well as South African and other experts.

This issue contains excerpts from statements made at the meeting.]

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1. Statement by the Chairman of the Special Committee against Apartheid, H. E. Prof. Ibrahim A. Gambari (Nigeria)

We are gathered here today to commemorate the massacre at Sharpeville 33 years ago in which 69 peacefully demonstrating men, women and children lost their lives. This tragedy shook the conscience of the world community and led the General Assembly to proclaim 21 March as the International Day for the Elimination of Racial Discrimination. This day has since become a day of rededication to the noble ideals of human equality and freedom. It gives us an opportunity to reaffirm once again our unequivocal opposition to and rejection of any form of discrimination, based on race, colour, nationality or ethnic origin.

It is important to do so because the world today is still witnessing the tragic consequences of discrimination. Deprivation of human dignity and violation of human rights continue to pose a threat to peace and stability in many parts of the world.

The observance of this day provides us with yet another opportunity to express our determination that racial discrimination in its most abhorrent institutionalized manifestation - apartheid -be finally and completely eradicated. For decades, the Black majority of the people of South Africa have lived under the oppressive and discriminatory conditions of apartheid. The doctrine of separateness has not only bitterly divided the nation, but also resulted in glaring disparities in the socio-economic situation.

The mass poverty among the Black population is perhaps the most striking feature of the South African society. It is estimated that 17.5 million people, (roughly half of the entire population), live in households with incomes below the minimum living level. Another 7 million Black people live in shacks. Forty-five per cent of the entire Black population has not been taught to read or write. Employment is a critical issue too. There are between 4 and 6 million unemployed, most of them in their economically productive years.

The tremendous disparities in the socio-economic sectors are a daily reminder that the past suffering and deprivation continue to be part of the present. We realize that the dismantling of a system which has been so deeply embedded in the state structure and society will be a very difficult task. It will be many years before the scars and legacy of apartheid will begin to fade. Despite these obvious difficulties, we must make some beginning, no matter how modest.

But today we are heartened to see that South Africa has begun the necessary march along that difficult road of breaking away from the clutches of racism and moving towards a non-racial, just and democratic society.

Recently, a delegation of the Special Committee against Apartheid, including myself, returned from a mission to South Africa. The mission successfully established contacts and held broad-based consultations with high-ranking representatives of all major parties involved in the ongoing political process. While the delegation took the opportunity of this historic visit to make an on-the-spot assessment of the political process now under way in the country, it engaged, in an open and frank manner, in discussions of the present situation in the country with all the leaders and people as well as institutions and organizations it met.

The most important conclusion the delegation drew from the visit is that all parties in the country have finally realized and accepted that there is no alternative to negotiations and that any delay in bringing about a political settlement could be disastrous for the entire country. All the parties are willing to talk and, what is more encouraging, willing to implement an agreement that would be reached. There is also an understanding among major political players that reconciliation and peaceful transition in South Africa may require the establishment of a government of national unity lasting for several years.

The series of bilateral meetings between the South African Government and leaders of liberation movements and other political parties, as well as the Multi-party Planning Conference, have created substantial ground for resumption of multi-party negotiations within two weeks from now. These negotiations would hopefully bring all parties to agree on transitional arrangements leading to the first-ever democratic elections in South Africa.

While recent developments in South Africa inspire optimism, we all know only too well how many times high hopes had been replaced with disappointment. The situation in South Africa remains complex and fragile. There are still wide political differences among parties. Perhaps one should not be too surprised that they tend to seek to shape a post-apartheid settlement to their own benefit. It is also to be expected that smaller political parties will be afraid of being excluded when the major players reach an understanding. However, a peaceful transition will require political will among all the leadership involved in the negotiations to find as inclusive a solution as possible.

Unfortunately, violence continues to be a powerful destabilizing factor in South Africa and easily lends itself to those who are being used by anti-democratic forces bent on derailing the peaceful process. Only an early political solution will create the conditions necessary for eradicating or reducing the level of violence and for a climate for domestic peace.

We trust that with the wise and dedicated effort of all political leaders of that country, and the active support of the international community, South Africans will be able to overcome the last obstacles that stand in the way of negotiations towards the adoption of a non-racial and democratic constitution.

It is of utmost importance that following or in tandem with political settlement a new approach be devised by the United Nations with a view towards helping South Africans to eliminate the socio-economic legacies of apartheid. As we clearly understood in South Africa during our mission, the achievement of that goal will require enormous efforts of the South African society as well as significant input of resources from the international community.

We in the Special Committee against Apartheid are heartened by the prospect of the end of the system of apartheid in South Africa. We are proud that our Committee, which over the years played a leading role in mobilizing international opinion against apartheid, has also been able to contribute to positive changes in South Africa.

2. Statement by the President of the General Assembly, H. E. M. Stoyan Ganev (Bulgaria)

Today we honour the memory of those who 33 years ago lost their lives at Sharpeville in South Africa. It was a tragic and historic event, which marked a turning point in the acknowledgement by the United Nations and by the international community of the legitimacy of the opposition by the people of South Africa against the massive violation of human rights committed against them in the form of apartheid.

Since 1966, this day has been commemorated by the international community as an occasion to reject and condemn racial discrimination in all its forms and manifestations. Once again, we take this opportunity to express our resolute opposition to any form of discrimination, whether based on race, colour, creed, national or ethnic origin.

The United Nations has since its very beginning sought to secure international cooperation in solving international problems, especially when human rights were at stake. Since 1946

the General Assembly has consistently adopted an unequivocal stand against apartheid. Since its establishment in 1962, the Special Committee against Apartheid has spearheaded international efforts to resolve this important question. It is in this context that we continue to refer to the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted in December 1989. I would emphasize that the Declaration was adopted by consensus, the first time ever for an apartheid-related political issue since the founding of our Organization.

This historic decision laid down internationally agreed measures towards the creation of a climate conducive to negotiations and on the basis of fundamental principles for a non-racial and democratic South Africa. Events in that country since the adoption of the Declaration have proved its relevance and significance. The Declaration and subsequent decisions of the General Assembly, the Security Council and efforts of the Secretary-General have contributed significantly to positive developments in South Africa. They indicate that a common vision is evolving for a new South Africa, a process involving a broad spectrum of political parties and organizations.

There is every reason to hope that in spite of the complex difficulties that remain, the new resolve of South African leaders across the political spectrum and the efforts of the international community will achieve in the foreseeable future the goal we all have striven for so long - a democratic, non-racial and united South Africa. It is our sincere hope that the parties will persevere towards this goal with a spirit of determination, cooperation and reconciliation.

The first free elections in South Africa and the adoption of a new democratic constitution would be a victory not only for all people in South Africa but for all those in the international community who are committed to peace and justice and who respect human rights.

This International Day is an occasion to recall the leading role played by the United Nations in the struggle against racism, racial discrimination and apartheid. The United Nations Charter, the Universal Declaration of Human Rights, the International Convention on the Elimination of all Forms of Racial Discrimination, the International Convention on the Suppression and Punishment of the Crime of Apartheid and the Convention against Discrimination in Education attest to the serious efforts by the international community to ensure that equal rights of all people are respected.

However, as we observe this day, we cannot close our minds to the immense suffering that communities and entire nationalities are enduring because of racial, ethnic and national

discrimination in many parts of the world. As we see with relief that ideological barriers of the past have been brought down, we should acknowledge that the world is becoming increasingly interdependent each year. The notion that a given territory must belong to only one ethnic, cultural or religious group to the exclusion of all others leads, as we have seen, to bloodshed, violence and unspeakable violations of human rights. The need to coexist and live in harmony should be the universal aspiration towards which the international community must channel its efforts in order to eradicate all forms of racial and ethnic discrimination. Let us therefore, on this occasion, rededicate ourselves to the elimination of all forms of racial discrimination.

3. Statement by the Secretary-General of the United Nations, Mr. Boutros Boutros-Ghali

This day, observed annually as the International Day for the Elimination of Racial Discrimination, was inaugurated by a resolution of the General Assembly in 1966. It honours the memory of the 69 peaceful demonstrators - mainly women and children - who were massacred at Sharpeville in 1960. And it calls on the international community to redouble its efforts to eliminate all forms of racial discrimination.

Each year the world community has honoured those who died at Sharpeville. It has reflected on their sacrifice. It has mobilized its thoughts, and its efforts, on behalf of the suffering victims of apartheid. And it has, increasingly, focused on the gigantic task of building the new South Africa.

This year, for example, the international observer missions in South Africa have called on all South Africans to dedicate themselves, on this day, to peace and reconciliation.

This year, the observance of the International Day for the Elimination of Racial Discrimination coincides with an important moment in the process of negotiations in South Africa. They have entered a new phase.

Two weeks ago, on 5 and 6 March, a Multi-party Planning Conference was held at Kempton Park, South Africa, to plan for the resumption of full-scale, multiparty constitutional negotiations. It was attended by 26 delegations representing the broadest spectrum of political parties and organizations ever assembled on South African soil. In a far-reaching decision, participants committed themselves, individually and collectively, to multiparty constitutional negotiations to take place within the multiparty forum, as a matter of national urgency, not later than 5 April 1993.

This historic meeting is, in a sense, a tribute to the resilience, wisdom and determination of the South African leadership, both Black and White, to forge ahead and rise above their differences to build a common future.

The United Nations - which is committed to facilitating the negotiating process, has spared no effort in bringing about peace and reconciliation. In July 1992, while the country was engulfed in endless recriminations, turmoil and politically motivated violence, the Security Council offered a forum to South African political leaders to state their positions. At the same time, it urged them to renounce violence and remove the remaining obstacles to resume negotiations. At the request of the Council, I deployed United Nations observers to assist in the strengthening of the mechanism of the National Peace Accord. Other international and regional organizations were invited likewise to send their own observers.

Today, it is generally recognized that these timely decisions and actions by the United Nations and other international organizations have helped in reducing political tension in South Africa. They have also had a positive impact on the political situation in the country.

At this point, I urge the leaders of all the parties and organizations to persevere in their efforts to reach an agreement on the principles and modalities for the difficult transition ahead. It is important that this agreement be based on the principles of inclusiveness, mutual tolerance and respect which are so essential to bring about democratic rule through free elections and a new constitutional dispensation.

In these endeavours, they can rest assured of the support of the United Nations and the international community at large.

But time is of the essence in South Africa as elsewhere. A speedy settlement in South Africa is essential to allow the nation to address the serious socio-economic imbalances resulting from decades of apartheid, and to return to the path of sustained economic growth.

At a symposium last year, in Windhoek, organs and agencies of the United Nations system looked into ways and means of addressing these imbalances. They are preparing now for the time when they can bring their full contributions to bear, particularly in the critical areas of health, education and housing, with special regard to the needs of children and women, the most vulnerable groups in South Africa.

It should be recalled in this connection that the United Nations has long been providing humanitarian, legal, educational

and relief assistance to victims of apartheid - largely through the Trust Fund for South Africa and the United Nations Educational and Training Programme for Southern Africa.

Last year, at the pledging conference for assistance programmes for southern Africa, 27 Governments contributed a total of $7 million.

At the pledging conference this morning, I also received important contributions from a number of Governments. I wish to thank all the donor countries for their generous contributions and hope that other countries will also join in this genuine international humanitarian effort.

The massacre at Sharpeville - and the contempt which it showed for the rights of Black South Africans - illustrated the horrors of apartheid at its worst.

But there are other forms of racism besides the hideous institutional racism of apartheid. In too many countries, minorities feel threatened by intolerance and racial bigotry.

Democracy - rule of the majority - can easily become the tyranny of the majority unless there are safeguards.

Opposition to racism and racial discrimination is inherent to the United Nations and its Charter. The Charter not only recognizes the importance of fundamental human rights, equality and the intrinsic value of each and every human being; it sees them as the essential foundation of true progress and lasting development.

The United Nations, in upholding the Charter, proclaims the universal values of human rights and the dignity of all human beings. Later this year, in Vienna in June, we will be holding the World Conference on Human Rights. This will provide an excellent opportunity to consider practical measures to protect and enhance human rights in the world.

The struggle against racism is not confined to southern Africa; and it must not be limited to words only. Human rights, including protection against racial discrimination, need to be put into law, and monitored and upheld in practice.

We are at the dawn of a new era in South Africa. An era marked by a desire for reconciliation and renewed determination to overcome difficulties of all kinds through negotiation and dialogue, which have already resumed.

Chance mishaps, admittedly, have occurred in the past. No one can predict the future. One fact is certain: for the first

time, one can see the light at the end of the tunnel in South Africa. Yesterday's enemies have gathered together at Kempton Park in order to conduct a dialogue and begin to define the elements of a process that will lead, soon, it is our hope, to a new, non-racial and democratic South Africa.

The day will come when South Africa, a land that is so rich and so tormented, will have overcome the upheaval of the transition. In its restored dignity, the abundance of its means and the commitment of a people reconciled with itself, South Africa will be able then to look to the future with confidence. Its victory, of course, will, first of all, be the victory of all South Africans, and all Africans. But it will also be the victory of mankind as a whole.

I thank you for your attention.

4. Statement by the President of the Security Council, H. E. Mr. Terence O'Brien (New Zealand)

Allow me first of all to thank you and the members of your Committee for inviting me as President of the Security Council to participate in this year's observance of the International Day for the Elimination of Racial Discrimination.

This meeting takes place at a time when South Africa continues to be faced with the daunting challenge of exploring new avenues to achieve peacefully constitutional change for the establishment of a democratic and non-racial society. In this connection, the members of the Security Council recall that in welcoming last month the Secretary-General's decision to reinforce the United Nations Observer Mission in South Africa (UNOMSA) with an increment of 10 additional observers, they noted that the presence of international observers in South Africa had a salutary effect on the political situation there.

In the view of the members of the Council, the recent Multi-Party Planning Conference, in which a broad spectrum of political parties and organizations participated, including some which had not participated in the Convention for a Democratic South Africa (CODESA) process, has offered a renewed and heightened opportunity for the resumption of constitutional negotiations. It is, therefore, the strong hope of the members of the Council that this development will be regarded as a watershed, for the decisions of that meeting indicate a realization that constructive dialogue cannot survive the political turbulence and continuing spiral of violence currently prevailing in South Africa. They, therefore, urge the political entities in South Africa to seize this new opportunity and to nurture it in an environment rid of violence. No fruitful results of negotiations

can be expected to develop so long as South Africa remains a crucible of violence.

The Security Council continues to watch closely developments in South Africa. It is determined to ensure assistance to the people of South Africa to end violence, the continuation of which would seriously jeopardize peace and security in the region. The Council will maintain support for all constructive efforts of the South African people to establish a democratic, non-racial and united country.

5. Excerpts from the statement by the Chairman of the Special Committee on the situation with regard to the implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples, H. E. Mr. Renagi Renagi Lohia (Papua New Guinea)

... We are assembled today, 33 years after the tragedy of Sharpeville, to reaffirm our pledge to bring about an end to racial discrimination. This annual observance is no idle ritual. It touches a profound and continuing concern that is central to our beliefs and values as individuals, as representatives of diverse nations and as the custodians of our Charter and its ideals. Racial discrimination directly challenges these ideals. It is a form of violence that demeans its practitioners. As long as it is practiced, it will be resisted, and shall be resisted, with all available means.

... Today, as we recall that tragic day in Sharpeville, South Africa, which is observed as a milestone in the struggle against apartheid, I am equally mindful that this occasion should serve as a day of remembrance for all the innocent victims of the policy of apartheid in the 33 years that have elapsed since that infamous day in the annals of South African history.

... As recent events have indicated, the path to a non-racial democracy in South Africa is strewn with many difficulties. Since its inception, the United Nations has been at the forefront of international efforts to eliminate racial discrimination; and in response to grave international concern about the future of South Africa, the Security Council recently called upon South African political leaders to cooperate in combating violence and removing the remaining obstacles to the resumption of negotiations.

In August 1992, the Security Council authorized the Secretary-General to dispatch observers to assist in the strengthening of the structures of the National Peace Accord. Today, there is general acknowledgement that these timely actions

have helped to reduce political tension and to create an improved environment for renewed negotiations.

Notwithstanding these setbacks and delays, there have been some recent encouraging developments. We have been informed recently that the multi-party constitutional negotiations will resume early next month with a view to drafting and adopting a new constitution for South Africa. It is the fervent hope of the international community that, in a not too distant future, South Africa will take concrete steps leading to racial, social, political and economic harmony that will afford all South Africans the opportunity to exercise their basic human rights, and to live together as equal citizens of a multiracial and democratic society.

While noting this encouraging development to bring about democratic rule through free elections and new constitutional arrangements, it is important to recognize that the eradication of apartheid will require fortitude, tolerance and perseverance on the part of all South African political leaders during the difficult period ahead.

The tasks entrusted to the Special Committee against Apartheid and the Special Committee on Decolonization bear a marked similarity. Both Committees were charged with defending the rights of the disenfranchised and to ensure self-determination, freedom, equality and basic human rights for all.

... As mandated by the General Assembly, the Special Committee on Decolonization is firmly committed to the eradication of colonialism by the end of this decade. We are also committed to increasing our efforts to ensure that the General Assembly's Programme of Action for the Second Decade to Combat Racism and Racial Discrimination will indeed be a reality.

Our earnest hope is that in the near future, the General Assembly will be able to consign both the Committee against Apartheid and the Special Committee on Decolonization to the archives of history and that future scholars will shake their heads in horror that such despicable aberrations as apartheid and colonialism could have endured for so long.

The Special Committee on Decolonization will continue to follow events in South Africa during the difficult transition period ahead, and assure you of our total support in your noble goal in defence of the inalienable right of peoples everywhere to self-determination and freedom and their enjoyment of the basic human rights and human dignity. In so doing, we can expect to lessen the sufferings of those concerned and thereby contribute effectively to international harmony, peace and security.

6. Excerpts from the statement by the Chairman of the Committee on the Elimination of Racial Discrimination, H. E. Mr. Luis Valencia Rodriguez (Ecuador)

... We are now witnessing tremendous, barbaric abuses rooted in racial or ethnic hatred, similar to events we thought had been left behind with the end of the Second World War. Tragic events are taking place that lead to, among other consequences, the disintegration of some political structures, particularly in Eastern Europe, and the weakening of certain State systems in other regions.

... Within the bounds of its competence, the Committee is responding to new challenges presented by the current international situation. Hence, it has adopted various innovative procedures that encompass two fields of action: early-warning measures and emergency-action measures.

... Among the early-warning measures, the Committee has established the following.

(a) A follow-up mechanism for the suggestions and recommendations contained in the final observations drawn up after the examination of each periodic report of the States parties;

(b) Offering to send to the States one or more members of the Committee in order to facilitate the application of the provisions of the Convention or help in solving specific problems;

(c) Encouraging the States parties, as appropriate, to make use of the advisory services or programmes of technical cooperation of the Centre for Human Rights;

(d) The members of the Committee making themselves available to the Centre, in their capacity as experts, to provide the services needed by the States Parties;

(e) Closer cooperation with the regional mechanism charged with the promotion and protection of human rights;

(f) Promoting a greater flow of international cooperation for the promotion and defence of human rights in connection with the elimination of racial discrimination.

Among the emergency-action measures, the Committee has agreed:

(a) To request the States parties, within a fixed period of time and when circumstances warrant, to submit special reports

relating to measures adopted to prevent violations of provisions of the Convention;

(b) To designate a special rapporteur of the Committee to act as a focal point for the coordination of actions that must be taken in case of emergency;

(c) To request the Secretary-General of the United Nations, in exercise of the powers granted him in the Charter, to take certain situations to the Security Council for consideration;

(d) To communicate its concern, along with its recommendations for measures to be adopted, to the appropriate State party, the Secretary-General or the Special Rapporteur recently designated by the Commission on Human Rights in accordance with its resolution 1993/20;

(e) To cooperate, within the sphere of its competence, in order to achieve the fulfilment of the objectives established in General Assembly resolution 47/120.

These new measures, in addition to informal meetings or seminars, complement those the Committee has been carrying out in the discharge of its duties, which have grown considerably, not only because the number of States parties has increased to 133, but mainly in order to deal with the grave manifestations of racism and racial discrimination seen today, even reaching the point of what has been termed "ethnic cleansing".

... The Committee is prepared to meet new and enormous dangers, to seek States' cooperation, to promote understanding and tolerance between human groups and societies, and to adopt, in the words of the Convention, all necessary measures for speedily eliminating racial discrimination in all its forms and manifestations. It is therefore urgent that States which have not yet done so - including the main actors in the international community - become parties to the Convention in order to ensure the true universality of its scope as a human rights instrument. It is also necessary that the communications media cooperate in this great international effort through the broadest possible dissemination of the work and achievements of the Committee.

7. Excerpts from the statement by the representative of the African National Congress (ANC), Mr. Penuell Maduna

We are gathered here again to observe one of the most important days in the calendar of our people's struggle against racial discrimination, namely Sharpeville Day, a day declared by the United Nations General Assembly as the International Day for

the Elimination of Racial Discrimination. It was on this day 33 years ago that the South African security forces killed 67 anti-pass law demonstrators in Sharpeville and Langa. We in the African National Congress rededicate ourselves to the noble idea for which the Sharpeville Day victims made the supreme sacrifice.

... The Multi-party Planning Conference aimed at securing consensus on the resumption of full-scale multi-party constitutional negotiations which was held at the World Trade Centre, Johannesburg, South Africa on 5 and 6 March 1993 was a culmination of a series of bilateral talks between the African National Congress and the Pretoria Government as well as with all other interlocutors on the South African political scene. We hope that the spirit of goodwill which characterized the Multi-party Planning Conference will continue to prevail throughout the constitutional negotiations, for it is this spirit that is needed in the resolution of the South African problem.

... The Multi-party Planning Conference resolved that the Multi-party Forum for Negotiations shall be reconvened as a matter of national urgency, not later than 5 April 1993. The first meeting of the Forum has since been scheduled to take place 1 and 2 April 1993.

This meeting will determine, inter alia:

- Mechanisms and procedures (including Chairpersonship);

- How to accommodate the views of those participants who were not in CODESA, in relation to the agreements reached in CODESA;

- How these agreements can serve as a constructive foundation for the resumed/commenced negotiations process to build on;

- How the forum shall be structured and named;

- All participants are required to make an unqualified commitment to the process of negotiations as a prerequisite for their participation.

The most important resolution of the conference which we did not have during the CODESA process was the deadlock-breaking mechanism. In this regard, the Planning Conference resolved that:

- All decisions are to be taken by general consensus;

- If this cannot be achieved, conference will use the method of sufficient consensus.

This means that:

1. There is lack of general consensus;

2. There is sufficient agreement from enough participants to enable the process to move forward;

3. Parties which disagree can record their objections or rejections formally, but will, in the spirit of cooperation, not hinder the process to go forward;

4. The ruling that there is consensus/sufficient consensus or not, should be taken by the Chair in his/her discretion. This can, however, be challenged by any party which disagrees. The meeting will then deal with it as is appropriate. The Facilitating Committee comprising one representative from each of the 26 parties which participated at the Multi-party Planning Conference held a meeting on 18 March to prepare for the first meeting of the Forum.

... The African National Congress will put the following proposals before the Multi-party Negotiations Forum:

1. The immediate result of the process of multi-party negotiations must be:

- The installation of the Transitional Executive Council;
- An independent electoral commission;
- An independent media commission;

2. The tasks of these structures will be to ensure that in the period leading up to the elections the playing field is levelled and that there is a climate conducive to free and fair political activity;

3. The elections should lead to the installation of a constituent assembly and an interim government of national unity.

This perspective is agreed already among the majority of participants in the negotiations process, including the Pretoria Government. However, there is a second school of thought that has emerged with regard to the process of constitution-making. A loose grouping calling itself Concerned South African Group (COSAG), which is led by Chief Mangosuthu Buthelezi of the Inkatha Freedom Party and Dr. Andries Treurnicht of the (Whites-only) Conservative Party, advocates that the new constitution should be drafted by a body of constitutional experts under the auspices of the Multi-party Forum and be presented to a

referendum for adoption. This grouping and its perspective derive from a fear of the consequences of non-racial democratic elections implied in the Constituent Assembly route; they fear that an election will cost them the disproportional influence they have in the Multi-party Negotiations Forum. It is our belief that an elected constitution-making body, with all its imperfections, will accord to the process the sorely missing element of legitimacy which a body of experts mandated by the Multi-party Negotiations Forum will not. We hope to be able to persuade all parties that our people's right to participate in a transparent constitution-making process will be accorded greater respect in and through an elected constituent assembly.

Let me seize this opportunity to dispel a myth which has been disseminated by certain political organizations and individuals that the ANC is having secret deals with the Pretoria Government, and that we are prematurely calling for the lifting of sanctions.

... The National Executive Committee of the African National Congress at a meeting held in Johannesburg from 16 to 18 February 1993, reaffirmed the pivotal role played by the international community and resolved to ask for the lifting of sanctions only once there is an announced and agreed date for elections, establishment of the Transitional Executive Council, the independent electoral and media commissions as well as the enactment of the Transition to Democracy Act. It is at this stage that diplomatic sanctions, gold coins, trade and trade credits, new investments, loans and other financial sanctions should be lifted. The National Executive Committee also brought to the attention of the international community that the Multi-party Transitional Executive Council will be the appropriate institution with which to enter into any official agreements. The National Executive Committee further called upon the international community to ensure a strict observance of the arms and oil and petroleum products embargoes until democratic government has been installed.

Continued minority rule, corruption in high places in government and the maladministration of the South African economy will continue to affect mostly the poor and disenfranchised indigenous population. Nine million people are without jobs and 7 million are living in squatter camps, yet the government continues to spend $1.33 billion a year on covert operations of the South African Defense Force. This year's budget is also going to bring more suffering to our people; there are no job creation efforts to improve the lives of more than 18 million people living below the poverty datum line. The government has allocated only $507.9 million for housing; this means nothing given the fact that 300,000 houses need to be built every year in order to start adding the problem of housing. The education

situation is equally critical; only $7.206 billion will go into education when there are 14 million people who do not know how to read and write. There is no suggestion in the budget that the education allocation shall no longer be based on race as has been the case hitherto; from the look of things, the various race-based education departments will get allocations based on race as usual. The 14 per cent increase in the value-added tax (VAT) and the 16 per cent increment in fuel levy is going to increase inflation by 2.9 per cent, which according to the Central Statistical Service rose from 9.6 per cent to 9.7 per cent from December 1992 to January 1993 while prices rose by 1.1 per cent on average.

... There is a strong feeling emerging among the democratic forces in South Africa that the international community and the United Nations in particular, should start looking into the feasibility of rendering assistance in confining the South African Defense Force to barracks, particularly during the period leading to the elections. The confinement to barracks will ensure free and fair elections. This is an issue worth noting given the potential of the South African Defense Force in subversion.

Let me conclude by reiterating the solidarity of the African National Congress with the people of Angola in their endeavour to find a peaceful solution to their problem and pledge the ANC's commitment to put pressure on the South African government to observe in particular paragraph 9 of Security Council resolution 804 (1993) and other relevant paragraphs of the Council's resolutions on Angola.

We also call on the South African government to immediately stop the supply of war material to the government of Rwanda and observe paragraph 9 Security Council resolution 812 (1993). Finally, we would like to convey our message of support and solidarity to the struggling people the world over in their struggle for justice and peace.

8. Excerpts from the statement of the representative of the Pan Africanist Congress of Azania (PAC), Dr. B. E. M. Pheko

... On behalf of the Pan Africanist Congress of Azania (PAC) ... I express deep gratitude to the United Nations for annually observing 21 March.

... 21 March 1960 is an event which took place as a result of the Sharpeville uprising. ... The Sharpeville uprising remains the symbol of struggle in South Africa for national liberation up until now.

From the very beginning, the PAC advocated a Patriotic United Front of all organizations of the oppressed. That is, African unity before talks with the South African regime could take place. This was an indispensable necessity if negotiations for majority rule in South Africa (Azania) were not to result in co-option, collusion, secret deals and betrayal of the oppressed. Unfortunately the Patriotic Front mandate and demands were betrayed, particularly on the question of a neutral convener and a neutral chairman.

The PAC refused to join CODESA. It held its own bilateral negotiations under the terms of its own Congress and those of the Patriotic United Front. The first formal meeting between the PAC and the South African regime took place in Abuja on 10 April 1992. This was under the chairmanship of the Foreign Minister of Nigeria.

In July 1992, during the Security Council meeting in New York to discuss the genocidal violence raised by the PAC through the OAU, the South African regime approached the PAC delegation. They proposed further discussions. The PAC agreed on condition the talks would be held under a neutral convener and in a neutral territory. Subsequently the regime met PAC in Botswana under the chairmanship of that country's Foreign Affairs Minister, Dr. Gaositwe Chiepe.

On the agenda the PAC put forward, inter alia, the following items:

(a) A new, more representative forum;

(b) A democratically elected constituent assembly to draw up a democratic constitution for a liberated Azania (South Africa); and

(c) A transitional authority supervised by parties subscribing to a democratically elected constituent assembly and by the United Nations and the OAU.

The regime accepted the agenda and added two more items, namely, violence and attacks on the security forces by the Azanian People's Liberation Army. The regime also proposed an "interim government", and "interim constitution". The PAC rejected the "interim" idea and wanted the eradication of apartheid and the decolonization of the country dealt with through a democratically elected constituent assembly.

Why does the South African regime want a so-called interim government?

(a) The regime can, under the 1983 Constitution, rule South Africa until September 1994;

(b) If no agreement is reached on genuine negotiations between now and September 1994, the regime will be compelled to hold another all-White election;

(c) Constitutionally, the regime can hold another only White elections, but politically it cannot. The Africans would be very angry and the international community would be revolted. The South African regime clearly understands this;

(d) Therefore, the regime considers the present constitution a constraint which must be jettisoned in order to give it political delaying advantage;

(e) The mechanism the regime believes it can use to prolong its illegitimate rule beyond September 1994 is the "interim government" and "interim constitution".

By an "interim government", the regime hopes to have sanctions lifted. With a few Black faces appearing in a so-called interim government, the regime hopes to deceive the world that it has dismantled apartheid and therefore it should be accepted back to the international community.

... The PAC has no mandate to negotiate power-sharing or "interim government". In this it has the support of the African majority. According to a Human Sciences Research Council survey done by Professor Lawrence Schlemmer, 57 per cent of the Africans are against an "interim government".

The most disturbing thing that is taking place in South Africa is the genocidal violence by the minority regime committed through Buffalo Battalion 32, Koevoets mercenaries and local death squads. On 14 September 1991, the PAC demanded the verifiable expulsion of all mercenaries in the country as well as local death squads, under international supervision. The PAC stated that unless this was done, the so-called National Peace Accord and the Goldstone Commission would fail to stop this genocidal violence. The PAC also wanted an international commission, not a commission appointed by the South African regime such as the Goldstone Commission.

Figures just released by the South African minority parliament are horrifying. They prove beyond reasonable doubt that there is genocide of the African people in South Africa: 20,135 people were killed in 1992. This means that more than 55 people die every day and 2.3 people every hour. This is much higher than the PAC's figure of 15 people per day and one person

every 1.5 hours, which some people took for exaggeration by the PAC.

The South African minority racist parliament has budgeted R 11.124 billion for its army. The regime has set aside R 5 billion for secret operations. This large sum of money is not subject to audit. It is used for assassinations, massacres, purchase of sophisticated weapons and nuclear technology. This is at a time when Africa is supposed to be a nuclear-free zone. Is South Africa not part of Africa? The regime also continues to conscript. There have been over 50 major massacres of Africans in South Africa. The killing of Africans is intended to reduce the African population numerically. This is simultaneously done with a massive recruitment of immigrants especially from eastern European countries.

The World Campaign against Military and Nuclear Collaboration with South Africa has reported an agreement between a Russian-based company, Ecotrends, and a South African company, Safair, which will provide for a lease deal of the Russian aircraft such as the Antonov AN-131 transporter and MI-26 helicopters. It was also reported that South Africa was negotiating the purchase of Russian Mig-29 fighter planes.

... Today medical sources in South Africa reveal a horrifying picture. Conservative estimates reveal that 300,000 mostly African people are infected with the AIDS virus. The virus is spreading to at least 300 new carriers every day. In about 5,000 cases, the virus has erupted into AIDS. The South African Medical Research itself has confirmed this disturbing state of affairs. (New York Times, 15 March 1993).

... The PAC policy is against the killing of civilians - be they Black or White. The PAC insists that all killings must be stopped in South Africa not only those of Whites. At present, only Africans are military "soft targets" of the South African army and security forces. African civilians alone frequent graveyards with monotonous regularity. They are subjected to the peace of the grave.

The talks between the South African regime and the PAC which broke down in Botswana on 3 March 1993 were over the insistence of the regime to disarm Africans while refusing to expel all mercenaries from the country verifiably and under United Nations and Organization of African Unity (OAU) supervision.

The South African regime then broke off talks and said it would not allow the PAC to attend the preparatory meeting for a multilateral meeting scheduled for March 1993.

Mr. Willy Seriti, PAC's Secretary for Constitutional and Legal Affairs, said PAC would attend. "The majority of the people of this country have the right to be represented at something that could lead to a constituent assembly," he said.

The PAC attended the meeting:

1. To ensure that bilateral talks will make way for multilateral talks;

2. To ensure that the new forum for negotiations will have a new name and a new structure;

3. To ensure that the new forum will be free from the defects of CODESA and that it will have:

- transparency;
- neutrality;
- deadlock-breaking machinery;
- democracy as opposed to secret deals;
- election for a Constituent Assembly.

The PAC has made it clear that the Multilateral Forum it intends to attend for negotiations is not CODESA. CODESA agreements are not binding on the new forum, but that former CODESA parties can re-table those agreements for discussions, and that they may be accepted or rejected.

Much euphoria and confusion has been created over the negotiations in South Africa and so-called positive changes. The changes are superficial. They are not fundamental. The mere existence of negotiations in South Africa is not enough. They can break down. Also they could deliver disguised minority rule under cover of "power-sharing" or so-called "interim government" and negate the whole concept of democracy.

South Africa is a very rich country. The stakes are very high here. This is precisely why the country was never decolonized. Those who are truly on the side of the victims of apartheid and colonialism must not assume that de Klerk really wants change. No oppressor has ever left the stage of history on his own...

To the PAC what is important are the items on the agenda and the outcome of the negotiation process, not the mere existence of negotiations.

The negotiation process should be a truly decolonizing one, leading to the emergence of a new African state, representing the rights of sovereignty and independence of the people of Azania; their right to self-determination. The negotiation process should be democratic and democratizing. If it is exclusive and is based on secret deals and intrigues the so-called "new South Africa" will be a house built on sand. It will not last.

The sun set over the people of Azania (colonially called South Africa since 20 September 1909) over 300 years ago. Like the people of Palestine whose noble struggle the PAC supports, the African indigenous majority has been sitting under the shadow of sunset and national humiliation for far too long. They have struggled for the sun of righteousness to rise over them and their children once again. They deserve a "sunrise clause" in their political agenda and genuine negotiations not a defeatist "sunset clause".

The martyrs of Sharpeville and Langa whose lives we commemorate on this International Day for the Elimination of Racial Discrimination sacrificed their lives for the noblest cause on earth - the freedom of mankind. They and their people deserve a much bigger reward. Their blood is crying out for justice to be done to the victims of apartheid and colonialism in South Africa without playing the dangerous game of kith and kin politics, pseudo-democracy, sectarianism, economic and other selfish interests. May the day of national liberation come soon to the people of Azania and Palestine.

9. Excerpts from the statement by the representative of the Office of the Permanent Observer Mission of Palestine to the United Nations, Mrs. Maha G. Khoury

On behalf of the Permanent Observer Mission of Palestine to the United Nations, I should like to express our solidarity with the people of South Africa on this important occasion, the observance of the International Day for the Elimination of Racial Discrimination honouring the victims of the Sharpeville massacre.

The Black majority of South Africa has struggled for many decades to end its suffering. Not only have they appealed for assistance from the international community to help them eliminate apartheid, but they have also organized themselves at home and at every level of their society in their resistance to the evils of the system of apartheid - a system that has denied them proper housing, health care and education, a system that has denied Black children the right to live in peace and prosperity and does not even allow them the opportunity to develop and grow because their only crime is their colour: Black.

... Indeed, it is the struggle of the Black majority of South Africa that led to the retraction of some of the Pretoria regime's practices and to the resumption of the upcoming constitutional negotiations. However, the overall situation remains volatile. Apartheid remains the rule of law for the Black majority. It is our firm conviction that the United Nations should continue its efforts in trying to reach a solution to the question of South Africa.

The United Nations, and specifically the Security Council, must remain seized of the question of South Africa and should actively contribute to the current negotiations process in order to ensure its continuity and success, ultimately leading to the establishment of a new, non-racial and democratic South Africa.

Moreover, although some progress has been made due to the negotiations, the sanctions against the Pretoria regime should be maintained and should gradually be lifted as progress is made towards the formation of an interim government of national unity and the establishment of a democratically elected constituent assembly. The voice and support of the international community continues to be a major factor in achieving a just and lasting peace in South Africa.

... The question of Palestine has been on the agenda of the United Nations since 1948. It is of paramount importance, as in the case of South Africa, that the United Nations remain seized of the question of Palestine to guarantee a just and lasting solution to the problem.

On behalf of the Palestinian people, I should like to express solidarity with the struggling people of South Africa in their quest for self-determination, freedom and democracy. We praise our brothers in the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC) for the exemplary leadership they have displayed in their struggle, and particularly the wise leadership of ANC President Nelson Mandela. We reiterate our support and hope that one day soon peace and justice will prevail and that both our peoples will live in peace, equality, harmony and prosperity.